



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

RF

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,738	06/28/2001	Jessica Chang	LIE 128	3606
23995	7590	11/14/2003	EXAMINER	
RABIN & CHAMPAGNE, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			GOODWIN, JEANNE M	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,738

Applicant(s)

CHANG, JESSICA

Examiner

Jeanne-Marguerite Goodwin

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on July 30, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-7 and 13 are finally rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

- a. In claim 1, lines 6-10: "setting a predetermined operation time limit" and "the control circuit turns the computer off after said input unit is operated for said predetermined operation time limit" are new matter.

- b. In claim 5, lines 5-7: "the steps of: setting an operation time limit; counting an operation time by the timekeeping circuit after the computer is started; and turning the computer off when the operation time reaches the operation time limit."

- c. In claim 6, lines 2-3: "the step of activating the alarm unit when the operation time reaches the operation time limit."

- d. In claim 13, lines 1-2: "means for curtailing operation of the computer when the operation time limit expires."

Claims 2-4 and 7 are rejected to as being dependent upon a rejected base claim.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-13 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Song in view of US Patent 6,137,479 to Olsen et al. [hereinafter Olsen].

Song discloses timer-dedicated input device (6a) either being a remote control, keyboard, mouse, input button, key conversion switch or a joystick connected to either a TV or a computer. The device limits the use of the TV or computer, wherein a timer is set inside the TV which allows its user to set ON/OFF time for each day of the week. This set time corresponds to a period of time for which the electronic appliance can be used. Thus, the ON/OFF time can be set in consideration of a period of time for which children can be allowed to watch TV or use the computer. In addition, with the completion of the set time approaching, a completion warning signal (OSD character, special image or sound signal) is transmitted before the end of the set time to inform the user that the completion is approaching to an output unit (CRT, speaker, printer). Song discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 1, i.e., the timekeeping disposed on the input unit; the limitation stated in claim 3, i.e., the microcontroller having an I/O pin that is connected to a display unit; the limitation stated in claim 8, i.e., an alarm unit carried by the mouse; the limitation stated in claim 11, i.e., the means for emitting sound is a buzzer; and the limitation stated in claim 12, i.e., a time display on the mouse.

Art Unit: 2841

With respect to the limitation stated in claims 1, 3 and 12: Olsen discloses a programmable computer pointing device comprising a LCD display (34), plurality of keys (64), a timekeeping circuit (56), a microcontroller (58)), wherein the microcontroller has I/O pin connected to the display, and an alarm unit. Furthermore, the microcontroller can be programmed to provide additional common watch features including a stopwatch, a calendar or a calculator. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add the LCD/timekeeping assembly, as taught by Olsen, to the input device of Song, in order to have timekeeping functions readily available to the user.

With respect to the limitation stated in claim 11: Official Notice is taken with respect to the particular type of sound emitted, e.g., buzzer, claimed by applicant is nothing more than one of numerous types of very well known sounds that a person having ordinary skill in the art will find obvious to provide for the purpose of alerting a user of a predetermined time. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to replace sound signal, as taught by Song, with the buzzer, as taught by applicant, since both are alternative types of sound emitting means which will provide the same function, if one is replaced with the other, of alerting a user of a predetermined time.

With respect to the limitation stated in claim 12: Olsen further discloses in Figures 6 and 7, a computer mouse (84) comprising a programmable computer (86) having a display (104) and a keypad (106) along with a processor (108), wherein the programmable computer (86) is a conventional digital watch well known in the watch art. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add the

Art Unit: 2841

programmable computer/display assembly, as taught by Olsen, to the input device of Song, in order to have timekeeping functions readily available to the user.

The limitation stated in claim 7, i.e., the input unit additionally has a time display unit, has not been given any patentable weight because it is directed to structural features of the invention and not to method steps to which claim 5 is directed.

With respect to claims 5 and 6: the method steps will be met during the normal operation of the device stated above.

Response to Arguments

5. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2841

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (703) 305-0264. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JMG
Nov. 6, 2003

DAVID MARTIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800